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10 Attorneys for Defendant
11 LLADIRA HERNANDEZ

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 vs.
17 LLADIRA HERNANDEZ,
18 Defendant.

19 Case No. 1:22-mj-00175-BAM

20 **STIPULATION TO CONTINUE
21 PRELIMINARY EXAMINATION; ORDER**

22 Date: February 9, 2023
23 Time: 2:00 p.m.
24 Judge: Hon. Stanley A. Boone

25 IT IS HEREBY STIPULATED by and between the parties through their respective
26 counsel, Assistant United States Attorney Joseph Barton, counsel for plaintiff, and Assistant
27 Federal Defender Erin Snider, counsel for Lladira Hernandez, that the Court may continue the
preliminary examination currently scheduled for January 12, 2023, at 2:00 p.m. to February 9,
2023, at 2:00 p.m.

28 Ms. Hernandez made her initial appearance on the Criminal Complaint on November 21,
2022. *See* ECF #7. At that time, the parties advised the Court that they were working toward a
preindictment resolution and requested that the Court make a finding of good cause to set the
preliminary examination outside the statutory timeframe. *Id.* Based on the parties' representation,
the Court found good cause and set the preliminary examination for January 12, 2023, at 2:00
p.m. *Id.* The Court also excluded time under the Speedy Trial Act. *Id.*

29 The parties now request that the Court continue the preliminary examination for four

1 weeks and make an additional finding of good cause. The government has provided defense
2 counsel with 1,761 Bates-stamped pages of discovery and, on January 4, 2023, the government
3 provided defense counsel with a written plea agreement. Defense counsel requires additional
4 time to review the preindictment offer with her client. The parties agree that the extension of a
5 preindictment plea offer, and defense counsel's need to review discovery and the offer with her
6 client, constitutes good cause to hold the preliminary examination outside the statutory deadline.
7 The parties further agree that the ends of justice served by continuing the case as requested
8 outweigh the interest of the public and the defendant in a speedy indictment as prescribed by the
9 Speedy Trial Act.

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11 **IT IS SO STIPULATED.**

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Respectfully submitted,

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PHILLIP A. TALBERT
United States Attorney

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Date: January 5, 2023

/s/ Joseph Barton
JOSEPH BARTON
Assistant United States Attorney
Attorney for Plaintiff

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HEATHER E. WILLIAMS
Federal Defender

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Date: January 5, 2023

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
LLADIRA HERNANDEZ

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ORDER

IT IS SO ORDERED. The preliminary examination scheduled for January 12, 2023, at 2:00 p.m. is hereby continued to **February 9, 2023, at 2:00 p.m. before Magistrate Judge Stanley A. Boone.** For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which an indictment must be filed, the time period of January 12, 2023, to February 9, 2023, inclusive, is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: January 5, 2023

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE